

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

JAMAL FAHIE,)	
)	
Petitioner,)	
)	
v.)	Civil No. 3:21-cv-0035
)	
GOVERNMENT OF THE VIRGIN ISLANDS, et)	
al.,)	
)	
Respondents.)	
)	

ORDER

BEFORE THE COURT is Jamal Fahie’s (“Fahie”) *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Fahie filed the instant petition alleging: (1) “newly discovered evidence”; (2) “the main witness changed her story in her initial statement to police”; (3) “aiding and abetting”; and (4) “Kamaal Francis witness.” (ECF No. 1.) On May 25, 2021, pursuant to Rule 4 of the Rules Governing § 2254 Proceedings, the Magistrate Judge issued a Report and Recommendation (ECF No.2) recommending that:

1. The Court stay the case pending the petitioner’s exhaustion of Grounds Two, Three, and Four;
2. The Court order the petitioner to act to exhaust his territorial court remedies within forty-five days after the entry of the stay; and
3. The Court order the petitioner to return to federal court within forty-five days after territorial court exhaustion.

Fahie did not file an objection. After conducting a *de novo* review of the record in this matter, it is hereby

ORDERED that the Magistrate Judge’s Report and Recommendation, ECF No. 2, is **APPROVED** and **ADOPTED** as an Order of this Court; it is further

ORDERED that the case is **STAYED** pending Fahie’s exhaustion of Grounds Two, Three, and Four; it is further

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ORDERED that, within 45 days from the date of this Order, Fahie **SHALL** initiate his territorial court remedies. **No later than January 4, 2024**, Plaintiff shall notify this Court of what action, if any, he took to initiate his territorial court remedies. It is further

ORDERED that Fahie **SHALL** return to this court within 45 days after his territorial court exhaustion is complete; it is further

ORDERED that failure to comply with this Order may lead to a dismissal of this case for failure to prosecute; it is finally

ORDERED that the Clerk's Office **SHALL** provide a copy of this Order to Jamal Fahie.

Dated: October 24, 2023

/s/
ROBERT A. MOLLOY
Chief Judge